

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

B.H. Properties, LLC,

Complainant,

vs.

Suburban Water Systems,

Defendant.

Case 01-06-009
(Filed June 7, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING EXHIBITS**

Exhibit 3

Review of the evidentiary hearing transcript indicates that Exhibit 3, the prepared testimony of Robert L. Kelly, was marked for identification (Tr. 16) but inadvertently, was not moved into evidence following cross-examination on it. I will receive Exhibit 3 in evidence in this proceeding, effective February 15, 2002, unless I receive written opposition filed and served on or before February 13, 2002.

Late-Filed Exhibit

As directed at evidentiary hearing and described in the transcript, on or before February 15, 2002, the parties are to jointly file a late-filed exhibit. (See Tr. 43-45, 51.) I ask that the parties mark this document for identification as Exhibit 4, for ease of future reference. Parties may distinguish the subparts or subsections within Exhibit 4 by appropriate letters or numbers (e.g., 4-1 or 4-A).

IT IS RULED that:

1. Exhibit 3 will be received in evidence in this proceeding, effective February 15, 2002, unless written opposition is filed and served on or before February 13, 2002.
2. The joint late-filed exhibit ordered to be filed on or before February 15, 2002 shall be marked as Exhibit 4.

Dated February 4, 2002, at San Francisco, California.

/s/ JEAN VIETH

Jean Vieth
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Regarding Exhibits on all parties of record in this proceeding or their attorneys of record.

Dated February 4, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.